



PTO/SB/21 (09-04)

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FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

33

Application Number

10/783,873

Filing Date

February 20, 2004

First Named Inventor

Joseph J. Kubler et al.

Art Unit

2616

Examiner Name

Chin, Wellington

Attorney Docket Number

14364US15

ENCLOSURES (check all that apply)☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Litigation Statement Pursuant To
MPEP §2001.06(C) and
Information Disclosure Statement☒ 2 copies of PTO/SB/08A, and
copy of cited foreign reference☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence
Address☐ Terminal Disclaimer☐ Request for Refund☐ CD Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board
of Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Return-Receipt Postcard☐ Other Enclosure(s) (please
identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm McAndrews Held & Malloy, Ltd.

Signature 

Printed Name Kevin E. Borg, Reg. No. 51,486

Date May 3, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 05/03/2006

Name (Print/type)

Kevin E. Borg

Registration No. (Attorney/Agent)

51,486

Signature 

Date

05/03/2006



Attorney Docket No. 14364US15

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Joseph J. Kubler et al.

Serial No. 10/783,873

Filed: February 20, 2004

For: Hierarchical Data Collection Network
Supporting Packetized Voice
Communications Among Wireless
Terminals And Telephones

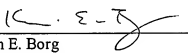
Examiner: Chin, Wellington

Group Art Unit: 2616

Confirmation No.: 7542

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Kevin E. Borg
Reg. No. 51,486

**LITIGATION STATEMENT PURSUANT TO MPEP § 2001.06(C) and INFORMATION
DISCLOSURE STATEMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-467, pending in the Central District of California.

Pursuant to MPEP 2001.06(c), the Applicants would like to bring to the attention of the U.S. Patent and Trademark Office that the subject matter currently being claimed in the present application may be related to at least one of the patents currently asserted by Broadcom in the above-mentioned lawsuit. For the Office's benefit, Applicants enclose as Exhibit A a list of the patents currently asserted by Broadcom in the above-mentioned pending action.

The Applicants also encloses as Exhibit B a completed PTO form PTO/SB/08A which has one (1) page, as well as a copy of each printed reference listed in the enclosed form PTO/SB/08A. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Sixteen (16) references are enclosed.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned actions. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO/SB/08A and return one copy to the applicants to indicate consideration of the enclosed references.

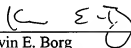
No fee is believed to be due because:

- * The applicant(s) believe(s) that this statement and enclosures are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: May 3, 2006



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Patents Currently Asserted by Broadcom in Civil Action No. 05-467 (CD Cal.)

5,425,051
5,657,317
6,285,865
6,389,010
6,847,686



Application Number	10/783,873
Filing Date	February 20, 2004
First Named Inventor	Joseph J. Kubler et al.
Group Art Unit	2616
Examiner Name	Chin, Wellington
Attorney Docket No.	14364US15

Examiner Initial*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code 2 (if known)			
	A1	4,553,081	11-12-1985	Koenck	
	A2	4,716,354	12-29-1987	Hacker	
	A3	4,961,043	10-02-1990	Koenck	
	A4	5,260,988	11-09-1993	Schellinger et al.	
	A5	5,371,898	12-06-1994	Grube et al.	
	A6	5,420,911	05-30-1995	Dahlin et al.	
	A7	5,452,289	09-19-1995	Sharma et al.	
	A8	5,533,019	07-02-1996	Jayapalan	
	A9	5,546,077	10-08-1996	Obayashi et al.	
	A10	5,594,782	01-14-1997	Zicker et al.	
	A11	5,610,910	03-11-1997	Focsaneanu et al.	
	A12	5,654,957	08-05-1997	Koyama	
	A13	5,754,542	05-19-1998	Ault et al.	
	A14	5,764,736	06-09-1998	Shachar et al.	
	A15	5,777,991	07-07-1998	Adachi et al.	

Examiner Initials*	Cite No. [†]	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ^d
		Country Code* - Number - *Kind Code* (if known)				
	B1	PCT/WO91/08629	06-13-1991	Berken		

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published

EXAMINER: Initial if reference considered neither or citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant. *Applicant's unique citation designation number (optional). *See Kinds Codes of USPTO Patent Documents at www.uspto.gov/patents/compliance/kinds_codes WIPO 901.04. *Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). *For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. *Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

The collection of information is required by 37 CFR 1.52 and 1.58. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.4. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send To: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1800-368-9199) and select option 2.

Rev. Sept. 03
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PTOSB08A.doc

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./